



LEGALLY SPEAKING

The Stark County Law Library Association Newsletter

2000 Volume 21 Issue 7

Canton, Ohio



Law Library Provides Courts with Online Legal Materials

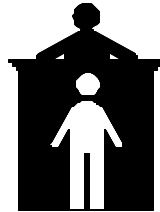
LoisLaw.com Available to Stark County Court Agencies

The Board of Trustees for the Stark County Law Library Association recently approved the funding of an online legal resource for all the court agencies of Stark County. In order to provide quality and consistent research tools among all the courts of this county, the Law Library will pay an annual fee of \$26,000 to LoisLaw.com for access to its online legal databases.

Access to the Courts

This access is open to staff members of the following court agencies:

- ☐ Stark County Court of Common Pleas (Probate, Family Court, Clerk of Court)
- ☐ Public Defender's Office
- ☐ Prosecutor's Office
- ☐ Dept. of Human Services, Legal Division
- ☐ Child Support Enforcement Agency, Legal Division
- ☐ Stark County Law Library



There will be no charge to any of these agencies for access to the legal databases of LoisLaw.com. These agencies will access LoisLaw's databases via the Internet. Access is granted to each user through a system of passwords, whereby 25 simultaneous users can access the site. Court staff can use their passwords from their offices or home computers.

In keeping with our mandate to provide legal research materials to the courts of this county, the Law Library is pleased to be able to offer up-to-date online access to the resources the courts use the most.

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The Stark County Law Library Association
110 Central Plaza South
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Canton, OH 44702
Phone 330.451.7380
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email: director@starklawlibrary.org
<http://www.starklawlibrary.org>

Free Training for Anderson's Ohio Law on Disc

Tuesday, November 14 at 2pm and
Wednesday, November 15 at 10am.

All are welcome. Please RSVP.

Niki Domenick, Director
Ph 330-451-7380 FAX 330-451-7381
niki@starklawlibrary.org

Access to Law Library Members

Any Law Library member can use the LoisLaw databases at the Law Library's Main location in downtown Canton. Please stop in for a demonstration or call ahead to make an appointment for a training session. We can provide group and one-on-one training to our members.

Calendar of Events



November 10 - The Law Library will be closed for Veteran's Day

November 14 at 2pm and
November 15 at 10am Anderson's Ohio Law on Disc Training

November 23 & 24 - The Library will be closed for Thanksgiving



December 8 - New Member Reception 2:30 - 5:00 pm



Mark your calendars now!!

Welcome! to our Newest Members

**Christopher Dionisio
and
David C. Uhlmann**

Have you applied for membership yet?

Complete a **membership application** at the law library, or call us. We'll FAX or email you one. The **first year** of membership is **free!**

Hidden Treasures

The **Journal of Internet Law** "delivers practical guidance to help you make sense of the explosion in legal developments streaming out of cyber-space. You'll discover cutting edge practice strategies for drafting contracts on-line, structuring transactions in cyberspace, copyright protection, electronic signatures, trade secret protection, securities trading on-line, and more. The journal contains timely updates on legislative and court activity impacting on-line communication and commerce, including regular briefings on the forging of the new U.C.C. section to address on-line issues. It offers practical analysis of worldwide Internet law developments as well as advance notification on important industry events and conferences."¹

The unique feature of **The Internet Newsletter** that makes it worthy of your time is it's column "Web Sites of the Month" which each month concentrates on one area of the law listing four or five web sites and evaluates each using a 5-star rating system. Only the best sites earn five stars. Other columns of interest include "Net News" to keep abreast of the latest developments in cyberspace and "The Virtual Lawyer: Law and Policy of Cyberspace".



Used law books available: individual titles, large and small sets. Please call for details, then make an offer. 330 455-0173 x319.

New Employment Law Periodical

The **Employment Law Week** summarizes employment related court decisions and includes short articles about employment related legislation and regulation.

It can be found at KF3302 .E46.



Meet Your Library Staff

Knowledge is not simply another commodity. On the contrary. Knowledge is never used up. It increases by diffusion and grows by dispersion.
—Daniel J. Boorstin

Our Assistant Librarian, Kendel Croston, exudes knowledge. She is our chief cataloger, SIRSI computer system guru and second in command. She is quick to offer help and information to everyone with whom she comes into contact.

To help you get to know her better I have "borrowed" the concluding interview questions from A&E's "Inside the Actor's Studio". What is your favorite word? *"reciprocal altruism"*. What is your least favorite word? *impossible*. Other than your present position, what profession or occupation would you most like to try? *Ambassador*. What profession/occupation would you not like? *Emergency room doctor*. What do you want to hear God say to you at the Pearly Gates? *"Well done good and faithful servant."*

Evidence of Trailing By Dogs In Criminal Cases

"In many parts of the country, extensive use is made of bloodhounds and other breeds of dogs in the trailing of fugitives, missing persons, and criminals. Although the precise scientific basis for dog tracking remains uncertain, it is clear that such dogs can be trained to almost unerringly follow a trail left by particular persons even after some time has passed.... Accordingly, many courts have ruled that, in general, evidence of tracking a defendant is admissible, subject to establishment of canine tracking evidence, either in general or under the particular circumstances presented, as the annotation illustrates. For a detailed discussion, see 63 ALR 4th 143, Criminal Law: Dog Scent Discrimination Lineups, and the other topics listed in the Related Annotations section. 81 ALR5th 563".¹



¹ ALR 5th Alert, Vol. 81, page 1.

Book Reviews



Animal Law, by Pamela D. Frasch, et al. is a casebook which includes statutory and decisional law concerning nonhuman animals. The book provides a general overview which defines animals and discusses "domestic" vs. "wild animals." Individual chapters discuss animal law in the context of property, contract, tort, constitutional and criminal law.

Restatement of the Law, Third: The Law Governing Lawyers, covers the issue of civil liability of lawyers, a new subject area in the *Restatement of the Law* series. This title varies from other texts in that it deals with civil liability to third parties. Chapters include, "Regulation of the Legal Profession," "Client-Lawyer Relationship," "Lawyer Civil Liability," and "Conflicts of Interest."

Advocacy On Line: *Brandenburg v. Ohio and Speech In the Internet Era*. 31The University of Toledo Law Review 227

All About Parking: Behind the Wheel with the Tenant. Probate & Property, September/October 2000, at 34. Available on the web at <<http://www.abanet.org/rppt/publications/so00toc.html>> for members only

Allowing Victims' Families to View Executions: The Eighth Amendment and Society's Justifications for Punishment. 61 Ohio State Law Journal 935.

Challenging Medical Opinions: Cross-Examination of Medical Expert Witnesses. OACTA Quarterly Review, Spring 2000, at 3.

Child Witnesses and the Oath: Empirical Evidence. 73 Southern California Law Review 1017 Available on the Web at <<http://www.rcf.usc.edu/cgi-local/uscclrev/PrintArticle.cgi?file=073502>>.

The Clinton Labor Board: Difficult Times For A Management Representative. The Labor Lawyer, Summer 2000, at 75.

Cops in the Cross Fire. ABA Journal, October 2000, at 58. Available on the Web at <<http://www.oplin.lib.oh.us/>> (See instructions on page four)

Coverage of Discrimination Claims Under Standard Workers' Compensation and Employers' Liability Insurance Policies. 35 Tort & Insurance Law Journal 1097. Abstract available online at <<http://www.abanet.org/tips/jrnsummer00.html#discrimination>>

Cultivate Clients: Marketing Without Spending Megabucks. Law Practice Management, September 2000, at 26. Available on the Web at <http://www.abanet.org/lpm/magarticle12079_front.shtml>.

Disturbing Concepts: Quiet Enjoyment and Constructive Eviction in the Modern Commercial Lease. 35 Real Property, Probate and Trust Journal 57.

DUI: Unimpaired Justice Per Se. OACDL Vindicator, Summer 2000, at 14.

Environmental Issues in Transactions: Old Swamps and New Bridges. 15 Natural Resources & Environment 75.

The Exhaustion Requirement and Underinsured Motorists Coverage. Ohio Trial, Spring 2000, at 15.

The Fifth Amendment at Home and Abroad: A Comment on United States v. Balsys. 31 The University of Toledo Law Review 209.

Forensic Accounting. Cleveland Bar Journal, September 2000, at 10.

How to Create Separate Accounts Within a Single IRA for Purposes of the Minimum Distribution Rules. Trusts & Estates, September 2000, at 38.

The Impact of E-commerce on the Real Estate Market and REITS. 27 The Journal of Real Estate Taxation 235.

Investment Fashion Victims and the Problems of Wrestling with Pythons. Journal of Retirement Planning, September/October 2000, at 39.

Lawyers as Shareholders: Taking a Stock Interest in Clients. Law Firm Governance, Autumn 2000, at 1.

Lessons From a Decade of Minority Shareholder Lawsuits. Ohio Lawyer, September/October 2000, at 8.

Long-Term Care Trends and Demographics: Implications for Financial Planning. Journal of Financial Service Professionals, September 2000 at 54.

The Meaning of "Interested Party" under 28 U.S.C. § 1491. 29 Public Contract Law Journal 739.

Nuclear Arms Control, Non-Proliferation and Disarmament in the Post-Cold War Security Environment: Keynote Address. 31 Case Western Reserve Journal of International Law 671.

An Outline for Appellate Opinion Writing. Judges' Journal, Summer 2000, at 26.

Passive Inhalation Of Marijuana Smoke: Creating A Workable Standard. 51 Labor Law Journal 70.

Political Activity and Lobbying By Charities: How Far Can It Go? What Are The Risks? 93 Journal of Taxation 177. Abstract only online at OPLIN <<http://www.oplin.lib.oh.us/>>.

Post-Traumatic Stress Disorder: Litigation Strategies. Trial, September 2000, at 18.

Quality of Medical Care Delivered to Medicare Beneficiaries: A Profile at State and National Levels. 284 The Journal of the American Medical Association 1670.

Sampling-Based Adjustment of the 2000 Census - A Balanced Perspective. 40 Jurimetrics 341.

Saving The World, One Cadillac At A Time; What Can Be Done When A Religious Or Charitable Organization Commits Solicitation Fraud? 33 Akron Law Review 577. Available online, but requires Westlaw ID.

Scarcity and Success: Perspectives on Assisted Housing. 9 Journal of Affordable Housing & Community Development Law 319.

Shooting the Messenger? What Investment Partnerships Need to Tell Their Exempt Partners About Acquisition Debt. Journal of Passthrough Entities. September/October 2000, at 36.

Tax Consequences of Employer-Provided Computers. TAXES - The Tax Magazine, October 2000, at 43.

Telecommunications in the Twenty-First Century: Global Perspectives on Community and Diaspora Among NetCitizens. 52 Administrative Law Review 1033.

(Continued on page 4)

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There's No Smoking Gun: Cities Should Not Sue the Firearm Industry. 25 University of Dayton Law Review 215.
A Vote for the Law. Student Lawyer, October 2000, at 30.
What is Tax Treaty Abuse? (Is Treaty Shopping an Outdated Concept?). 53 The Tax Lawyer 663.
Why a Victims' Rights Constitutional Amendment Is a Bad Idea: Practical Experience From Crime Victims.
68 University of Cincinnati Law Review 357.
Wireless Telecommunications Site Agreements (with Form). The Practical Real Estate Lawyer, September 2000,
at 9.

Instructions For Accessing the OPLIN Research Databases

1. Log on to <<http://www.oplin.lib.oh.us/>>.
2. On the left side, click on Research Databases.
3. On the next screen, click on EBSCOhost Databases
4. Next click where it says you have a valid library card.
5. From the pull-down menu, select Stark County District Library then enter your library card number.
6. Click on EBSCOhost Databases again.
7. On the next screen select EBSCO host Web, then Masterfile Premier and click on "enter".
8. Enter a keyword from the title, the name of the journal and the date.



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Hours: Mon-Fri, 8:30am-4:30pm

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Membership and Fees: Membership is open to
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Charges vary.

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